

Case 1:17-cv-00406-MAC-KFG Document 40 Filed 08/20/20 Page 1 of 2 PageID #: 584

EASTERN DISTRICT OF TEXAS

WELLS FARGO BANK, NATIONAL
ASSOCIATION,

Plaintiff,

v.

DAVID W.E. CABELL; DEBORAH
L CABELL; THE DAVID WINSTON
EARLY CABELL FAMILY LIMITED
PARTNERSHIP, LTD.,

Defendants.

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CIVIL ACTION NO. 1:17-CV-406

## MEMORANDUM ORDER ADOPTING REPORT AND RECOMMENDATION

Pursuant to 28 U.S.C. § 636 and the Local Rules for the United States District Court for the Eastern District of Texas, this matter was referred to United States Magistrate Judge Keith F. Giblin for entry of findings and recommendation on case-dispositive motions and determination of non-dispositive matters. On May 28, 2020, Judge Giblin entered his report and recommendation (#39) recommending that the District Court grant the defendant's motion to confirm the arbitration award.

To date, the parties have not filed objections to the report. Pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72, the Court conducted a *de novo* review of the magistrate judge's report and the record in this cause. The Court agrees with the Magistrate Judge's findings and conclusions and adopts Judge Giblin's report as the findings and conclusions of the Court.

The Court therefore **ORDERS** that Judge Giblin's Report and Recommendation (#39) is **ADOPTED** and the Plaintiff's Motion to confirm the arbitration award is (#38) is **GRANTED**.

The Court further **ORDERS** that the arbitration award and findings issued by Mr. Trey Bergman,

the arbitrator in this cause, on October 16, 2019, are adopted and confirmed by this Court. This case is **CLOSED**, and this constitutes a final judgment for appeal purposes.

SIGNED at Beaumont, Texas, this 20th day of August, 2020.

Handwritten signature of Marcia A. Crone in black ink.

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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE